

SECOND REGULAR SESSION

# HOUSE JOINT RESOLUTION NO. 43

## 97TH GENERAL ASSEMBLY

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INTRODUCED BY REPRESENTATIVES LANT (Sponsor), JONES (110), DIEHL, REIBOLDT, DAVIS,  
BURLISON, ALLEN, FLANIGAN, SWAN, REHDER, WOOD, FRAKER, LOVE, ANDERSON, ROSS,  
KELLEY (127), PIKE AND SCHATZ (Co-sponsors).

4448H.011

D. ADAM CRUMBLISS, Chief Clerk

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### JOINT RESOLUTION

Submitting to the qualified voters of Missouri, an amendment to article XIII of the Constitution of Missouri, adding thereto two new sections relating to public labor organizations.

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*Be it resolved by the House of Representatives, the Senate concurring therein:*

That at the next general election to be held in the state of Missouri, on Tuesday next following the first Monday in November, 2014, or at a special election to be called by the governor for that purpose, there is hereby submitted to the qualified voters of this state, for adoption or rejection, the following amendment to article XIII of the Constitution of the state of Missouri:

Section A. Article XIII, Constitution of Missouri, is amended by adding thereto two new sections, to be known as sections 4 and 5, to read as follows:

**Section 4. No sum shall be withheld from the earnings of any public employee for the purposes of paying any portion of dues, agency shop fees, or any other fees paid by public employee members of a public labor organization, or public employees who are not members except upon the annual written authorization of the public employee member, or the public employee who is not a member. The requirements of this section shall not be waived by the member or nonmember and such waiver shall not be made a condition of employment or continued employment. Signing or refraining from signing such authorization shall not be made a condition of employment or continued employment. This section shall not apply to first responders or any labor organization with respect to its representation of such individuals. For the purposes of this section, "agency shop" means**

EXPLANATION — Matter enclosed in bold-faced brackets [thus] in the above bill is not enacted and is intended to be omitted from the law. Matter in **bold-face** type in the above bill is proposed language.

11 an arrangement that requires an employee, as a condition of continued employment, either  
12 to join the recognized public labor organization, or to pay the organization a service fee;  
13 "public labor organization" means any organization which exists and is constituted for the  
14 purpose, in whole or in part, of collective bargaining or dealing with public employers  
15 concerning grievances, terms, or conditions of employment, or of other mutual aid or  
16 protection; and "first responder" means any person trained and authorized by law or rule  
17 to render emergency medical assistance or treatment which shall include, but not be  
18 limited to, emergency first responders, police officers, sheriffs, deputy sheriffs, firefighters,  
19 ambulance attendants and attendant drivers, emergency medical technicians, mobile  
20 emergency medical technicians, emergency medical technician-paramedics, registered  
21 nurses and physicians.

Section 5. No public labor organization shall use or obtain any portion of dues,  
2 agency shop fees, or any other fees paid by public employee members of a public labor  
3 organization, or public employees who are not members, to make contributions or  
4 expenditures under the campaign finance laws of this state, except upon the written  
5 authorization of such member or nonmember, received within the previous twelve months.  
6 Individuals who do not authorize such contributions or expenditures shall not have their  
7 dues, agency shop fees, or other fees increased in lieu of authorizing such contribution or  
8 expenditure. The requirements of this section shall not be waived by the member or  
9 nonmember and such waiver shall not be made a condition of employment or continued  
10 employment. Signing or refraining from signing such authorization shall not be made a  
11 condition of employment or continued employment. This section shall not apply to first  
12 responders or any labor organization with respect to its representation of such individuals.  
13 For the purposes of this section, the terms "agency shop", "public labor organization", and  
14 "first responder" have the same meaning as in section 4 of this article.

Section B. Pursuant to chapter 116, RSMo, and other applicable constitutional provisions  
2 and laws of this state allowing the general assembly to adopt ballot language for the submission  
3 of this joint resolution to the voters of this state, the official summary statement of this resolution  
4 shall be as follows:

5 "Shall the Missouri Constitution be amended to, excepting first  
6 responders, prohibit public labor organizations from withholding sums from the  
7 earnings of public employee members and nonmembers for the payment of dues  
8 or fees without consent, or use dues or fees paid by such members and  
9 nonmembers for political contributions or expenditures without consent?"

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